



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3391

by Rep. Robert W. Pritchard

SYNOPSIS AS INTRODUCED:

New Act

Creates the Higher Education Procurement Act. Requires the board of trustees of each public university in this State to cooperatively develop, establish, and implement a State University Procurement System applicable to public universities. Provides that the System shall be governed by a board comprised of one member of each of the universities' boards of trustees, appointed by the respective board of trustees. Requires the System's board to recommend a proposed procurement code for public universities to the Joint Committee on Administrative Rules, hire and manage a chief procurement officer for public universities, and have ongoing responsibility for the development of procurement policies and the evaluation of the universities' performance. Sets forth provisions concerning the chief procurement officer, JCAR review and approval, System requirements, and an audit. Repeals the Act on July 1, 2020. Effective immediately.

LRB099 07855 NHT 27991 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Higher
5 Education Procurement Act.

6 Section 5. System defined. In this Act, "System" means the
7 State University Procurement System established under Section
8 10 of this Act.

9 Section 10. Establishment of System. The board of trustees
10 of each public university in this State shall cooperatively
11 develop, establish, and implement a State University
12 Procurement System applicable to public universities. The
13 System shall be governed by a board comprised of one member of
14 each of the universities' boards of trustees, appointed by the
15 respective board of trustees. The System's board shall
16 recommend a proposed procurement code for public universities
17 to the Joint Committee on Administrative Rules, hire and manage
18 a chief procurement officer for public universities, and have
19 ongoing responsibility for the development of procurement
20 policies and the evaluation of the universities' performance.

21 Section 15. Chief procurement officer.

1 (a) The hiring of a full-time chief procurement officer
2 under Section 10 of this Act shall be for a term that expires
3 on June 30, 2020. The person must be professionally
4 credentialed by the National Institute for Governmental
5 Purchasing, the Universal Public Procurement Certification
6 Council, or the National Association of Educational
7 Procurement and shall be given the responsibility for
8 developing and implementing the procurement code under Section
9 10 of this Act, in conjunction with the System and the public
10 universities.

11 (b) The chief procurement officer shall appoint
12 procurement officers for each public university. The
13 university procurement officers must, at a minimum, have a
14 bachelor's degree and be professionally credentialed by the
15 National Institute for Governmental Purchasing, the Universal
16 Public Procurement Certification Council, or the National
17 Association of Educational Procurement within 3 years after
18 appointment.

19 Section 20. JCAR review and approval. The Joint Committee
20 on Administrative Rules shall review and approve the proposed
21 procurement code for public universities under Section 10 of
22 this Act and all modifications to such code, including changes
23 in bid thresholds.

24 Section 25. System requirements.

1 (a) Under the System, public advertising of all purchasing
2 opportunities above the bid limits must be made through an
3 electronic procurement bulletin.

4 (b) Under the System, sole source hearings must be held for
5 those items in which vendor questions or issues have been
6 raised, with a final determination to be made by the chief
7 procurement officer hired under Section 10 of this Act.

8 (c) The System shall require certification to conduct
9 business in this State at the time of the awarding of a
10 contract, including for subcontractors. The certification must
11 be above prescribed levels through a prequalification process
12 whose results would be accessed by all public universities.

13 (d) The System shall develop minority, female, and person
14 with disabilities diversity goals and a certification process
15 that recognizes higher education's commitment to diversity,
16 with goals that are at least as rigorous as the goals in the
17 Business Enterprise for Minorities, Females, and Persons with
18 Disabilities Act, and shall annually publish the results.

19 Section 30. Audit. The Auditor General shall conduct an
20 audit of each public university's compliance with the
21 procurement code approved under Section 20 of this Act and
22 report his or her findings, along with recommendations on cost
23 avoidance and savings, to the General Assembly on or before
24 June 30, 2020.

1 Section 90. Repeal of Act. This Act is repealed on July 1,
2 2020.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.